



QP-1656
#7

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97,195-P)

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JUL 24 2002
TECH CENTER 1600/2900

In re Application of:)
Burg, et al.)
Serial No.: 09/901,181) Examiner: TBA
Filed: July 9, 2001) Art Unit: 1656
For: Nucleic Acid Assays)

TRANSMITTAL LETTER

Asst. Commissioner for Patents
Washington, D.C. 20231

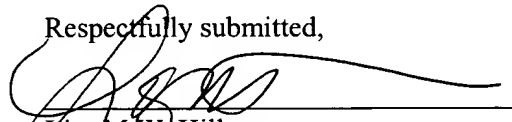
Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Supplemental Information Disclosure Statement;
 - b) PTO Form 1449 and two cited references;
 - c) Return postcard
2. With respect to fees:
No fee is due at this time.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on July 17, 2002.

Date: July 17, 2002

Respectfully submitted,


Lisa M. W. Hillman
Registration No. 43,673



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For:	NUCLEIC ACID ASSAYS)	

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

Supplemental Information Disclosure Statement

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

In the judgment of the undersigned, the references listed on the attached FORM PTO-1449 may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance of any portion of the references or as to the relative relevance as between references, whether cited in this statement or

prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §102 or §103.

Copies of the cited references are enclosed.

US Patent Documents

	Document Number	Date	Name	Class	Subclass	Filing Date
1	5,807,717	09/15/98	Joyce	435	91.1	04/20/94

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country
2	EP 0 726 310 A1		Europe


In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will

determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Respectfully submitted,

Dated: July 17, 2002

By: 
Lisa M.W. Hillman
Reg. No. 43,673

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Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

Serial No.

97,195-P

09/901,181

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Applicant: Burg, et al.

Filing Date: July 9, 2001

Group: 1656

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date
	1.	5,807,717	9/15/98	Joyce	435	91.1	4/20/94

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	<u>Translation</u> Yes No
	1.	EP 0 726 310 A1	8/14/96	Europe			

OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

Examiner	Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.

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